THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.14219 OF 2007

Dated 10-09-2007

Between:
M/s Chandra Plastic Industries … Petitioner

And

The Commercial Tax Officer and
Another … Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION NO.14219 OF 2007

O R D E R (Per the Hon'ble Sri Justice Bilal Nazki):

Heard learned counsel for the parties and with their consent, the writ petition is being disposed of at this stage.

Counter has been filed. The grievance of the petitioner is that although a show cause notice was given to him on 03-02-2006 and he had filed his objections on 02-03-2006, he received another letter asking him to file objections and again he filed objections, but the second respondent had passed the order dated 17-01-2007 without considering those two sets of objections.

We have seen from the order dated 17-01-2007 which merely states that the objections raised by the petitioner have been carefully examined with reference to the assessment record and found that being a manufacturer, the dealer has not maintained the accounts properly. The order itself discloses that the objections raised by the petitioner were not at all considered by the second respondent and it is not even disputed in the counter-affidavit.

In these circumstances, we allow the writ petition, quash the impugned orders and remand the matter to the second respondent, who shall consider the objections already filed by the petitioner, hear the petitioner personally and pass appropriate orders afresh. No order as to costs.

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Bilal Nazki,J

Dated 10th September, 2007

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Ramesh Ranganathan,J

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